



U.S. Department of Justice

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January 4, 2022

VIA ECF

The Honorable Marianne B. Bowler,
United States Magistrate Judge
John J. Moakley U.S. Courthouse
One Courthouse Way
Boston, Massachusetts 02210

Re: *United States v. Klyushin*, 21-cr-10104 (PBS)

Dear Judge Bowler:

During the December 22, 2021 detention hearing in the above matter, the United States cited the Court to three decisions in which other courts affirmed the detention of U.S. residents with ties to Russia based, in part, on concerns that the United States has no extradition treaty with Russia. They were:

- *United States v. Fishenko*, 2013 WL 3934174, *3 (E.D.N.Y. Jul. 30, 2013) (affirming detention of a dual citizen of Russia and the United States: “The United States does not have an extradition treaty with Russia. Therefore, were Fishenko to flee, he could not be compelled to return to the United States.”)
- *United States v. Shuklin*, 2020 WL 2992522, *1 (6th Cir. Mar. 18, 2020) (affirming detention of a United States resident, based in part on his “strong ties overseas (including [in] Russia, which does not provide for extradition”).

- *United States v. Kachkar*, 2017 WL 2684000 (11th Cir. Jun. 21, 2017) (affirming detention of a United States resident who had traveled extensively to Russian and Libya, “countries for which the United States does not have an extradition treaty”).

Defendant Klyushin, a Russian national and resident extradited to the United States to face charges, has far more tenuous ties to this District and poses a significantly greater risk of flight than the defendants in the cases cited above.

Respectfully submitted,

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/s/Seth B. Kosto

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cc: Maksim Nemtsev, Esq., counsel to defendant Klyushin (via ECF)
Doris Bello, Senior U.S. Probation Officer (via email)